

CIVIL LIBERTIES MONITORING PROJECT in 2012

CLMP ANNUAL MEMBERSHIP MEETING IS DECEMBER 4TH, AT 6 PM AT CLMP OFFICE.

FOR CLMP OFFICE & HOTLINE - CALL 923-4646.

YOUR DONATIONS and MEMBERSHIP DUES support CLMP: office rental, landline, office equipment, supplies, and repairs, monitoring hours, fuel to county meetings, bookkeeping: just the basics. **THANK YOU** for your continued GENEROSITY. Any amount is appreciated. [We need a newer **COMPUTER**. If you're upgrading yours, we'd gratefully accept your used one in good condition.]

THIS PAST YEAR CLMP has put a great deal of time into ATTENDING Humboldt County General Plan Update (GPU) Planning Commission and Board of Supervisor meetings to advocate for ACCOUNTABILITY and the re-inclusion of the 1500 PROVISIONS, for REVISIONS of the GPU amendment process, for INTERACTIVE LIVE REMOTE as a means of PUBLIC PARTICIPATION, and to help EXPOSE numerous deficiencies in the GPU Plan and process. We are continuing our involvement and support of FIRST AMENDMENT RIGHTS to peacefully assemble, speak, and demonstrate on public property. CLMP also organized the DISTRICT #2 SUPERVISOR CANDIDATES' NIGHT at the Veterans Memorial Hall in MAY.

CLMP **RESEARCHED** the legal framework to understand the rights of the public in the town streets and sidewalks. We distributed the findings in a handout, GUIDELINES FOR THE PUBLIC USE OF PUBLIC SPACES IN SOUTHERN HUMBOLDT, to shopkeepers and people hanging out. We also formatted and distributed the SHERIFF'S POLICY 464 on HOMELESS PERSONS to inform citizens (and remind officers).

CLMP **MAINTAINS THE OFFICE** and HOTLINE to receive calls from local citizens who report questionable or abusive law enforcement behavior. When CLMP receives such a report we encourage people to file a COMPLAINT directly with the agency involved. We also log into a DATA FILE officer/s' names and agency, date, time and location of incident, and what happened. When people report civil liberties abuses by officers, the Sheriff and CHP management can be addressed and the community informed.

CLMP **MONITORS** the hotline several times a day and forwards REPORTS of sightings of law enforcement convoys, and of surveillance helicopters and airplanes to KMUD RADIO. Programmers relay Health and Safety Reports to the public as appropriate, and on the news. We return calls as requested.

CLMP presents our **CIVIL LIBERTIES HOUR** radio show on the first Wednesday of each month to inform and educate about civil liberties issues, to provide opportunities for listeners and local community to voice concerns and opinions, and to talk with governmental representatives, officials, law enforcement and others about issues of local importance. (2012 shows, available in KMUD archives, are listed on page 2.)

CLMP **TRANSCRIBES** pertinent recorded discussions; recently of interest: the Board of Supervisors discussed the plan to waive penalty fees for property owners who apply for permits for buildings that have not previously been permitted, and the County Planners explained the shaded parcels situation on the Civil Liberties Hour. Copies of these discussions can be made available to CLMP members by request.

WIN-A-TRIP RAFFLE

Our 2011/12 fund-raising "WIN-A-TRIP" raffle is still active. As soon as 500 tickets are sold at \$20 each (or 6 for \$100), the winner receives 1/4 of proceeds (\$2,500), enough for a trip to Maui for two (or destination of choice). We hope to sell all tickets by the end of 2012. Tickets are available at the office during office hours, and sometimes from MICHAEL DE LEON at a table on the sidewalk in front of the building. We also want to thank TED KOGON, CHARLEY CUSTER, STEVEAU MILLARD and, especially, CHRIS WESTON for help in selling our raffle tickets this year.

Regular CLMP **OFFICE HOURS** are TUESDAYS & FRIDAYS, from 11 AM - 3 PM, and as needed. Calls are monitored remotely several times throughout each day.

CLMP **BOARD MEETINGS** are 1st Tuesdays, 5 PM, at CLMP office (upstairs in Jacob Garber Square). All members are welcome. If you'd like to join the board, come to the annual meeting on Dec. 4, 6 PM.

2012 CIVIL LIBERTIES HOURS radio talk shows

Most shows are available at kmud.com archives 10 months following airtime.

FIRST WEDNESDAYS OF EACH MONTH ON KMUD RADIO, 7 - 8 PM

call in, ask questions, offer opinions

HOSTS: BONNIE BLACKBERRY & CHARLIE CUSTER

JANUARY 4 - Guests **DAN TARANTO** and Planner **MARTHA SPENCER** re: efforts to restore **democratic principles** to the Humboldt County General Plan Update (GPU) and planning process. Discussion of info from December 15th Planning Commission meeting that was not covered in the media. Also info on continuation of the review of the **Update's Chapters 1, 2 & 3: Introduction, Public Guide, and Governance.**

FEBRUARY 1 - Guest **MATT HARVEY**, local CHP Public Information Officer, re: California Highway Patrol policies, practices, new laws and more.

MARCH 7 - Guests **DALE GIERINGER**, California NORML Director, on the new medical marijuana court rulings, etc, and **JANELLE EGGER** on the **Humboldt County Public Protest Ordinance and 1st Amendment Petition**, and more.

APRIL 4 - Guest **PHILIP SMITH-HANES**, County Administrative Officer, re: the controversial **URGENCY ORDINANCE** passed by the Board of Supervisors, and about gathering input for the drafting of a permanent **Public Protest Ordinance** for all 120 County properties, including the Garberville Courthouse.

MAY 2 - Guests **KATHY MOXON**, Director of Redwood Coast Rural Action, re: the re-launching of **Imagine Humboldt**, and **MARTHA SPENCER**, Supervising Planner for Humboldt County Community Development Services, on the **General Plan Update**. Both Imagine Humboldt and the General Plan Update are processes for creating planning documents to be used as a basis for future decisions and actions relating to our communities and future here in Humboldt County.

JUNE 6 - Democracy in Action, with guests **JANELLE EGGER** about her **lawsuit against the County** re: the Urgency Ordinance which restricts public protest, and **TOM GROVER** discussing the upcoming Board of Supervisor Workshop regarding the General Plan Update process and Citizen Participation.

JULY 4 - Guests **DAN TARANTO** and **TOM GROVER**, re: **newly proposed Amnesty Program** and GPU.

AUGUST 1 - Guests **STEVE WARNER** and **CLIFF JOHNSON**, **Humboldt County Planners**, re: "Shedding light on **shady parcels.**"

SEPTEMBER 5 - Guests **MIKE DOWNEY** Humboldt County **Sheriff**, and **MOURAD GABRIEL**, forest biology researcher and wildlife disease ecologist, who reports on rodenticide found in 80% of dead fisher martens (it stays in the soil and is passed along the food chain) as well as massive misuse and abuse of fertilizers and pesticides by gorilla growers in our forests.

OCTOBER 3 - Guests **PHIL SMITH-HANES** gives a progress report on Ordinances the BOS asked him to write re: public protests on County properties and outdoor medical marijuana, and **JANELLE EGGERS** reports on the state of her lawsuit regarding the Urgency Ordinance.

NOVEMBER 7 - Guest **ELLEN KOMP**, Deputy Director for Cal NORML, w/ updates and info re: **Cal NORML conferences**, a lawsuit against Tehama County's grow ordinance, and reports on meetings in Humboldt County with Mark Lovelace, John Driscoll, and John Woolley.

ADDITIONAL 2012 SHOWS are noted.

FEBRUARY 23 - Hosted by **ROBIE TENORIO**, **BB**, and **TANNER SPEAS** on **nuclear power**: guest **BEN DAVIS**, drafter of the Initiative ultimately responsible for the closure of the Rancho Seco Nuclear Power Plant, re Initiatives to close Diablo Canyon and San Onofre Nuclear Power Plants.

MARCH 23 - Hosted by **ROBIE TENORIO** (& **BB**), topic is the **Shell Oil Wind Generator** proposal for the coastal ridge near Petrolia.

MAY 7 - **Humboldt County District #2 Supervisor Candidates' Debate**, aired live from 7 - 9 pm, organized by CLMP, incumbent **CLIF CLENDENEN** and challenger **ESTELLE FENNELL** make short presentations followed by questions and responses, moderated by community facilitators, **ROBIE TENORIO** and **DOUGLAS FIR**.

**MICHAEL DE LEON, CLMP BOARD MEMBER, WROTE THIS LETTER IN BEHALF OF CLMP
DEAR EDITOR:**

This is in response to two recent Letters to the Editor and to the Chamber of Commerce article that focused on problems related to the homeless/nomadic population in our community.

Some valid complaints about inconsiderate and disrespectful behavior by some apparently transient or homeless people on our sidewalks have been expressed. Sometimes people stand around and take up the whole sidewalk or block doorways, and trash is sometimes left on sidewalks or is strewn around in campsites. Sometimes townspeople have felt threatened by words or behavior.

However there is no validity in using the behavior of a few as an excuse to demonize, denigrate, and generally paint a whole population of people with a broad derogatory brush, as some have a tendency to do. It is of particular concern that language of confrontation like "take off the gloves" and "take back our streets," as mentioned in one letter, makes its way into the dialogue. This derogatory attitude can lead to unfairness, injustice, and in some cases, tragedy as can be seen internationally, nationally, and locally. It was not so long ago that a homeless person was beaten to death where he lay down on the Redway Post Office freight dock. Problems need to be addressed without feeding into this kind of tragic action.

The nomadic influx present in our community is a phenomenon occurring up and down the Northcoast and throughout the Country caused in part by both the terrible national economic conditions, and the continuing and attractive strength of the marijuana economy locally. It is important to address any specific problems arising from this in our communities in a way that does not blame any one person or group for the acts of others. Respect is key in any civil interaction.

There are Constitutional issues involved when we are talking about controlling what goes on in our towns. "Our" streets and sidewalks, like streets and sidewalks throughout the Country, are public commons and all people have the right to be there. We have to remind our Chamber of Commerce that even loitering and panhandling are legal when done respectfully. The Civil Liberties Monitoring Project has researched this subject in an effort to help find appropriate solutions to perceived problems. CLMP has come up with the following guidelines (which we have distributed locally as a hand-out, and is also available in our office).

SOME GUIDELINES FOR THE PUBLIC USE OF PUBLIC SPACES IN SOUTHERN HUMBOLDT

RIGHTS & RESPONSIBILITIES

Town sidewalks and streets are known as the commons, the public spaces to be used respectfully for everyday life. The US Constitution and local laws are the legal framework behind understanding our rights in the commons. These laws are subject to interpretation.

The local business community members take a special interest in common areas, how the connecting spaces look, feel, and function. They meet together and with local law enforcement to insure that laws are enforced in a manner that protects the township from any negative effects of public use.

The public is asked to use common sense and to be considerate and respectful of others, in both public and private spaces.

RESPECT LIBERTY AND JUSTICE FOR ALL

1. Loitering that does not block sidewalks, exits or entrances is allowed on public property. Simply "hanging-out" is not a crime. Lacking any illegal activity, a citizen may not be made to leave a public area.
2. Panhandling has been found in courts to be a First Amendment right in public spaces. In private spaces any ban on solicitation must be applied equally to all. The right to panhandle does not confer the right to pester or harass people by asking more than once.
3. Each citizen (local or traveler), is responsible for his/her (and pet's) impact on the environment of the commons. Individuals should keep gear together, and clean up any trash made (cigarette butts, etc.).
4. A business person has responsibilities regarding the public space around his/her business. A citizen should show regard for these responsibilities.
5. A business owner has a right to protect employees and customers from harassment. However, enforcement of laws regarding this or any other law enforcement concern is to be performed by law enforcement officers. If a restraining order is in effect by a business person, that order is limited to the property of that business.

Please keep this ongoing dialogue on a level that is compassionate, respectful, and considerate to all.

BONNIE BLACKBERRY WROTE THIS LETTER TO BOARD OF SUPERVISORS IN BEHALF OF CLMP

RE: ORDINANCE ON USES OF COUNTY PROPERTIES

Dear Chairman Bass and members of the Board,

The Civil Liberties Monitoring Project urges the Humboldt County Board of Supervisors who voted for the Urgency Ordinance to reconsider your method of dealing with the problems/complaints regarding the activities associated with the Eureka Occupy protesters. CLMP believes existing laws can deal with the health and safety issues, and those laws should be enforced before creating more.

CLMP respectfully requests that the Humboldt County Board of Supervisors rescind/repeal the controversial Urgency Ordinance No. 2477 and follow the recommendations made by the Human Rights Commission regarding alternatives.

If the Board chooses to move forward with an ordinance for all county properties, it is absolutely necessary to have broader outreach and meetings in all the outlying communities that would be affected by the ordinance.

[This letter was sent in JUNE and a follow-up letter went to the BOS in AUGUST.]

CLMP ANNUAL MEMBERSHIP MEETING IS DECEMBER 4TH, AT 6 PM, AT CLMP OFFICE

CIVIL LIBERTIES MONITORING PROJECT
PO BOX 544
REDWAY, CA 95560



CLMP 2012 REPORT TO MEMBERS
And NOTICE OF GENERAL MEETING
Please let us know if you plan to attend -
923-4646.